

DISPOSITION: November 24, 1950. A plea of nolo contendere having been entered, the court imposed a fine of \$125, plus costs.

**3335. Misbranding of vitamin tablets. U. S. v. 197 Bottles \* \* \*. (F. D. C. No. 29736. Sample No. 13745-K.)**

**LIBEL FILED:** September 18, 1950, Middle District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about July 18, 1950, from Buffalo, N. Y.

**PRODUCT:** 197 bottles, each containing approximately 80 tablets, of *vitamin A & D with dicalcium phosphate* at Chambersburg, Pa., in the possession of H. Weber & Co.

**RESULTS OF INVESTIGATION:** This product was shipped in 5,000-tablet bottles. It was repackaged and relabeled by the consignee, H. Weber & Co., of Chambersburg, Pa.

**LABEL, IN PART:** (Bottle) "Vitamin A & D With Dicalcium Phosphate Vitamin A 3140 U. S. P. Units Viosterol 314 U. S. P. Units Dicalcium Phosphate 1 gr. One tablet taken daily contains approximately the minimum daily requirement of vitamin A & D. The equivalent of one teaspoonful Cod Liver Oil U. S. P. strength. Builds resistance to colds and disease Distributed by H. Weber & Co., Chambersburg, Pa."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the label statement "Builds resistance to colds and disease" was false and misleading as applied to an article which was not effective to build resistance to colds and disease. The article was misbranded while held for sale after shipment in interstate commerce.

The product was charged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: November 24, 1950. Default decree of condemnation and destruction.

**3336. Misbranding of Lee's iron tonic. U. S. v. 78 Bottles \* \* \*. (F. D. C. No. 29662. Sample No. 75160-K.)**

**LIBEL FILED:** July 27, 1950, Southern District of Mississippi.

**ALLEGED SHIPMENT:** On or about May 11, 1950, by the J. J. Lee Co., from Marshall, Tex.

**PRODUCT:** 78 1-quart bottles of *Lee's iron tonic* at McComb, Miss., together with a number of leaflets entitled "The Bible Says."

**LABEL, IN PART:** "Lee's Iron Tonic Appetizer \* \* \* Active Ingredients: Iron and Ammonium Citrates, Gentian Root, Thiamine Hydrochloride and a trace of Copper Sulfate (iron catalyst)."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the accompanying leaflets were false and misleading. The statements represented and suggested that the article would restore vigorous and robust health to weak, puny people; that it would prevent many serious illnesses; that it was useful in the treatment of kidney diseases, inflammation of the kidneys, Bright's disease, pyelitis, etc.; that it would make the bowels move freely; that it would nourish the muscles and give them great resilience; that it would increase muscle tone, improve digestion, and make one buoyant, robust, and healthy; that it would make one feel better, eat better, and look better; that it would build up energy; and that it would give tired, run-down, nervous,